

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 11-CR-00223-03-BCW
)	
NKOSI GRAY,)	
)	
Defendant.)	

ORDER

Before the Court is Magistrate Judge Hays's Report and Recommendation (Doc. #380) denying Defendant Gray's Motion to Dismiss Count Two of the Indictment (Doc. #348). Defendant Gray filed objections (Doc. #392) to the Report and Recommendation. After an independent review of the record, the applicable law, and the parties' arguments, and consistent with its ruling during the January 6, 2014 hearing, the Court adopts Magistrate Judge Hays's findings of fact and conclusions of law. Accordingly, it is hereby

ORDERED for the reasons stated in the Report and Recommendation (Doc. #380), Defendant Gray's Motion To Dismiss Count Two of the Indictment (Doc. #348) is DENIED. It is further

ORDERED that Magistrate Judge Hays's Report and Recommendation be attached to and made part of this Order.

IT IS SO ORDERED.

DATED: January 16, 2014

/s/ Brian C. Wimes
JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT